

[CS] Delays in Implementation of Audiovisual Sector Regulations

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Despite the appointment of the members of the Council of the Broadcasting Agency of Serbia in April 2003 (see IRIS 2003-6: 10) and adoption of the Law on Telecommunications (see IRIS 2003-6: 15), the implementation of new regulations in the audio-visual sector in Serbia remains at a standstill.

The procedural problems and debates that cast a shadow on some of the Broadcasting Council members led to further problems relating to this body. On the first session of the Council held on 4 May 2003 one Council member (nominated to the Council by the Government), whose appointment has been criticised, was nominated by another criticised member (nominated to the Council by the National Assembly) and was elected President of the Council. After that, a person allegedly affiliated with the biggest commercial broadcaster was nominated for the role of the ninth member of the Council and subsequently appointed on 27 May 2003. This resulted in the resignations of two other Council members, originally nominated by journalists' associations and broadcasting organizations, who declared political influences as the reason for their departure. The ensuing discussion on the legitimacy of the Broadcasting Council as a whole, ended up in a new discussion in the National Assembly, which on 14 July 2003 refused to remove the two aforementioned criticised Council members. Furthermore, on 27 August 2003, the European Commission announced that it is suspending the financial aid of some EUR 300,000, previously designated as an aid to the development of an independent regulatory authority for broadcasting in Serbia, because of the irregularities in the appointment of the Council members. The Government of Serbia subsequently stated that it shall fund the Broadcasting Agency itself and that no foreign aid is needed, leaving the whole situation in a kind of a stand-off. The Council adopted some recommendations for the broadcasters on 4 September and on 9 September 2003 requested the National Assembly to appoint two extra members of the Broadcasting Council as well as the Telecommunications Agency Governing Board, so as to enable the Broadcasting Agency to perform its duties. The President of the Broadcasting Council also urged a quick adoption of the frequency assignment plan, or even a part of it, so that the licenses for national coverage might be issued by the end of the year.

On the other hand, there are delays with the implementation of the new Law on Telecommunications of Serbia as well. Under Art. 114 of the Law on Telecommunications, that act shall only come into force 3 months after the official election of the President and the members of the Governing Board of the Telecommunications Agency, and that election has not yet taken place. Given the fact that the Telecom Agency is the competent body for adopting the frequency assignment plan, in accordance with which the Broadcasting Agency shall issue broadcasting licenses, it is highly unlikely that licenses for national coverage can be issued by the end of the year.

For now the only certain fact is that the implementation of new laws is going to be postponed until 2004.

"OSCE CiO disappointed by outcome of Serbian Parliamentary vote on Broadcasting Agency Council", OSCE Press Release of 16 July 2003

http://www.osce.org/news/show_news.php?id=3427

